

Application No.: 09/584,640

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**Docket No.: 00630/000G528-US0**

## REMARKS

## **I. Status of the Claims**

**Claims 1, 4 and 59 have been cancelled.**

Claims 2, 3, 5, 8, 11, 57, 58, 60, and 66 have been amended. The amendments do not add new matter.

Claims 2, 3, 5-13, 57, 58, and 60-68 are pending and at issue.

## II. Telephone Interview

Applicants would like to thank Examiner Walczak for all of the courtesies extended in the telephone interview held on September 16, 2003 to Louis DelJuidice. Applicants would like to thank the Examiner for discussing the references. Based on that discussion, the amendments and arguments herein distinguish the prior art of record.

### III. Acknowledgment of Allowable Subject Matter

Applicants thank the Examiner for the acknowledgment of allowable subject matter in claims 13 and 68.

#### **IV. Rejections Under 35 U.S.C. § 103**

Claims 1-12 and 57-67 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over U.S. Patent No. 4,120,948 to Shelton in view of U.S. Patent No. 4,139,311 to Lorscheidt. The Examiner contends that Shelton discloses the entire invention except the container to dispense the molded stick compound and that Lorscheidt discloses the container.

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Applicants respectfully traverse the rejection. Claims 12 and 57 recite a first and second composition "wherein the first and second compositions differ in color" and claim 67 recites "a first composition having a first color; and ... a second composition having a second color." Shelton discloses a two composition antiperspirant. According to the disclosure, each composition can be colored. However, Shelton does not teach or suggest that the compositions should differ in color from each other. Shelton only states that the "antiperspirant phase herein can also contain ... conventional additives such as dyes, perfumes, pigments, coloring agents, etc. ... [and c]onventional optional ingredients such as perfumes, dyes, pigments, coloring agents and the like can also be added to the gel phase." Shelton, column 6, line 67 to column 7, lines 2 and column 9, line 67 to column 10 line 1. Shelton does not provide any suggestions to make the invention.

Additionally, Lorscheidt does not supply the missing teaching. This reference teaches a container. However, Lorscheidt does not provide any hint or suggestion to provide different colored material in the container. Accordingly, even if combined, the references do not teach the claimed invention and a case for *prima facie* obviousness cannot be supported.

Claims 2, 3, 5-11, 58, and 60-66 depend from independent claims 2, 57, and 67, these claims are distinguished from the prior art for the same reason as the independent claims. Applicants respectfully request that this rejection be withdrawn.

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**CONCLUSION**

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Dated: September 25, 2003

Respectfully submitted,

By 

Louis J. DelJuidice

Registration No.: 47,522

DARBY & DARBY P.C.

P.O. Box 5257

New York, New York 10150-5257

(212) 527-7700

(212) 753-6237 (Fax)

Agent For Applicants

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